

UNITED STATES DISTRICT COURT

for the
Southern District of New YorkThird Avenue Institutional International Value Fund)
L.P., On Behalf of Itself and All Others Similarly)
Situating,)

Plaintiff)

v.)

Reserve Management Company, Inc., Resrv Partners,)
Inc., Reserve Management Corporation, Bruce Bent Sr.)
Bruce R. Bent, Arthur T. Bent, individually and on)
Behalf of The Reserve Primary Fund,)

Defendants, Third-party plaintiffs)

v.)

Ronald J. Artinian, Santa Albicocco, William E.)
Viklund, Edwin Ehlert, Jr., William J. Montgoris,)
And Frank J. Stalzer,)

Third-party defendants)

Civil Action No. 08 Civ. 8060 (PGG)

SUMMONS ON A THIRD-PARTY COMPLAINT

To: (Third-party defendant's name and address) **Frank J. Stalzer**
70 Parkwold Dr. South
Valley Stream, New York 11580

A lawsuit has been filed against defendants **Reserve Management Company, Inc. et al.**, who as third-party plaintiffs are making this claim against you to pay part or all of what the defendants may owe to the plaintiff **Third Avenue Institutional International Value Fund L.P.**

Within 21 days after service of this summons on you (not counting the day you received it) – or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(3) – you must serve on the plaintiff and on the defendants an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the defendants or defendants' attorney, whose name and address are:

John Dellaportas, Esq.
Duane Morris LLP
1540 Broadway
New York, New York 10036

It must also be served on the plaintiff or plaintiff's attorney, whose name and address are:

John Christopher Browne
Bernstein Litowitz Berger & Grossmann LLP
1285 Avenue of the Americas, 38th Floor
New York, NY 10019

If you fail to respond, judgment by default will be entered against you for the relief demanded in the third-party complaint. You must file the answer or motion with the court and serve it on any other parties.

A copy of plaintiff's complaint is also attached. You may – but are not required to – respond to it.

Date: January 22, 2013

RUBY J. KRAJICK
CLERK OF COURT_____
Signature of Clerk or Deputy Clerk

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
THIRD AVENUE INSTITUTIONAL
INTERNATIONAL VALUE FUND, L.P.,

Plaintiff(s),

Case No. 08 CIV 8060 (PGG)

-against-

AFFIDAVIT OF SERVICE

RESERVE MANAGEMENT COMPANY, INC., et al.,

Defendant(s).

-----X
RELATED THIRD PARTY ACTION.

-----X
STATE OF VIRGINIA)
 S.S.
COUNTY OF AUGUSTA)

CHARLES D. SHEFFER, JR., being duly sworn, deposes and says that he is over the age of eighteen years, is an agent of METRO ATTORNEY SERVICE INC., and is not a party to this action.

That on the 31st day of January, 2013, at approximately the time of 5:10 PM, deponent served a true copy of the Summons on a Third-Party Complaint and Defendants' Answer to Consolidated Class Action Complaint and Defendants' Third Party Complaint upon Frank J. Stalzer at 388 Villa Deste Court, Charlottesville, Virginia, by personally delivering and leaving the same with Maria Stalzer, Wife, a person of suitable age and discretion at that address, the actual place of residence. At the time of service, deponent asked if Frank J. Stalzer is in active military service for the United States of America or for the State in any capacity whatever and received a negative reply.

Maria Stalzer is a white female, approximately 40 years of age, stands approximately 5 feet 6 inches tall, and weighs approximately 145 pounds with brown hair.

That on the 1st day of February, 2013, deponent served another copy of the foregoing upon Frank J. Stalzer by first class mail, by enclosing a true copy thereof in a securely sealed and postpaid wrapper with the words "PERSONAL AND CONFIDENTIAL" written on the same envelope, and not

indicating on the outside that it is from an attorney, and depositing the same into an official depository maintained by the Government of the United States, State of Virginia, addressed as follows:

Frank J. Stalzer
388 Villa Deste Court
Charlottesville, Virginia 22903


CHARLES D. SHEFFER, JR.

Sworn to before me this
1st day of February, 2013


NOTARY PUBLIC



Jody Lee Barb
Commonwealth of Virginia
Notary Public
Commission No. 7315998
My Commission Expires 6/30/2014